

Note: Definitions can be found in Title 22 CCR Section 66260.10 and Article 2 of Chapter 6.5 of the Health and Safety Code. The statutory and regulatory definitions are always applicable and take precedence.

1. **Hazardous Waste Generation:** an act or process that produces hazardous waste subject to regulation (and which is not excluded or exempted) and identified by characteristic (corrosivity, ignitability, reactivity, or toxicity) or by "listing" in the appendices of 22 CCR Section 66261.126, including the State listing (Appendix X) or Federal listing (Appendices VII and VIII; these appendices are also found in 40 CFR Sections 261.31-261.33). As defined by 22 CCR Section 66261.3, hazardous waste includes extremely hazardous waste, acutely hazardous waste, RCRA hazardous waste, non-RCRA hazardous waste and special waste.
2. **Hazardous Waste Treatment:** any method, technique, or process which changes or is designed to change the physical, chemical, or biological character or composition of any hazardous waste or any material contained therein, or removes or reduces its harmful properties or characteristics for any purpose including, but not limited to, energy recovery, material recovery or reduction in volume. "Treatment" does not include the removal of residues from manufacturing equipment for the purposes of cleaning that equipment.
3. **Storage:** the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere.
4. **Disposal:** (a) the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water so that such waste or hazardous waste or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters, including ground waters; (b) the abandonment of any waste.
5. **Reclaim:** The processing of a spent material to regenerate the material or recover a usable product. Examples are recovery of lead from spent batteries and regeneration of spent solvents.
6. **Recycle:** The beneficial use, reuse, or reclamation of a hazardous waste, recyclable material, or hazardous byproduct from a process.
7. **Onsite treatment:** treatment limited to hazardous wastes generated at the same site.
8. **Offsite treatment:** treatment of hazardous wastes, which were generated by businesses offsite, and which usually require transportation to the facility. These Treatment Storage Disposal Facilities (TSDFs) treat waste received from other generators and are permitted and regulated under the Full or Standardized treatment tier by Cal EPA/DTSC.
9. **Generator:** any person, by site, whose act or process produces hazardous waste or whose act first causes a hazardous waste to become subject to regulation.
10. **Facility:** The person or business, either onsite or offsite, who treats, stores, or disposes of hazardous waste under authorization from the Certified Unified Program Agency (CUPA) or the State DTSC.
11. **Unit:** a combination of tanks or tank systems, and/or containers located together that are used in sequence to treat one or more compatible hazardous waste streams. The tanks and/or containers are plumbed together or otherwise linked to form one waste treatment system.

12. **Fixed Treatment Unit (FTU):** any equipment, which performs treatment as defined by statute, and which is permanently stationed, or which is periodically assembled for use at a single facility, for the purpose of performing waste treatment, regardless of the period or frequency of treatment.

13. **Transportable Treatment Unit (TTU):** any mobile equipment which performs a treatment and which is transported onto a facility to perform waste treatment and which is not permanently stationed at a single facility.

14. **Elementary neutralization unit:** a device which is used for neutralizing wastes that are hazardous wastes only because they exhibit the corrosivity characteristic.

15. **Totally enclosed treatment facility:** a facility for the treatment of hazardous waste which is directly connected to an industrial production process and which is constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

16. **VWastewater treatment unit:** a tank or tank system that is part of a wastewater treatment facility which is subject to regulation under either Section 402 (33 U.S.C. Section 1317) or 307(b) (33 U.S.C. Section 1342) of the Federal Clean Water Act; and receives and treats or stores an influent wastewater which is a hazardous waste, or that generates and accumulates a wastewater treatment sludge which is a hazardous waste, or treats or stores a wastewater treatment sludge which is a hazardous waste.

17. **Tank:** a stationary device, designed to contain an accumulation of hazardous waste, which is constructed of non-earthen materials (e.g., concrete, steel, plastic) for structural support. This definition includes clarifiers, sumps, or collection pits.

18. **Tank System:** a hazardous waste transfer, storage, or treatment tank and its associated ancillary equipment and containment system.

19. **Ancillary equipment:** any device including, but not limited to, piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to a storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal offsite.

20. **Sump:** any pit or reservoir that meets the definition of tank and those troughs/trenches connected to it that serves to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities.

21. **Secondary Containment:** A berm or holding system designed to catch any overspill, leak, or release caused by injury to or failure of the primary tank, ancillary equipment, or container. (See 22 CCR 66264.175 (containers;) and 22 CCR 66265.193 (tanks).)

22. **Freeboard:** the vertical distance between the top of a tank and the surface of the waste contained there-in.

23. **Container:** any portable device in which a material can be stored, handled, treated, transported, recycled or disposed of.

24. Intermediate Manufacturing Process Stream: a material, or combination of materials, that meets all of the following conditions:

- (a) It is produced as part of the manufacturing process.
- (b) It is used onsite on a batch or continuous basis, in either the same or in a different manufacturing process to produce a commercial product.
- (c) It is not a recyclable material.
- (d) The person who produced the material or combination of materials is able to demonstrate all of the following:
 - (1) The material, or combination of materials, is used, alone or in combination with other materials, in a manufacturing process that is designed for its use.
 - (2) The material, or combination of materials, is not accumulated or stored in amounts greater than can be used in the manufacturing process.
 - (3) The material, or combination of materials, is not handled, stored, or processed in a manner that is inconsistent with its intended use or the operating requirements of the manufacturing process.

25. By-product: a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. Examples are process residues such as slags or distillation column bottoms. The term does not include a co-product that is produced for the general public's use and is ordinarily used in the form it is produced by the process.

26. Recyclable Material: a hazardous waste that is capable of being recycled. This includes residues, spent materials (e.g. spent etchants and stripping solutions from plating operations), materials contaminated to such an extent that they can no longer be used for the purpose for which they were originally purchased or manufactured, a byproduct listed in 22 CCR Section 66261.31 or Section 66261.32, or any retrograde material that has not been used, distributed or reclaimed through treatment by the original manufacturer or owner by the later of the following dates: (1) one year after the date when the material became a retrograde material or (2) if the material has been returned to the original manufacturer, one year after the material is returned to the original manufacturer.

27. Retrograde material: any hazardous material which is not to be used, sold or distributed for use in an originally intended or prescribed manner or for an originally intended or prescribed purpose and which meets anyone or more of the following criteria:

- (a) (1) has undergone chemical, biochemical, physical or other changes due to the passage of time or the environmental conditions under which it was stored; (2) has exceeded a specified or recommended shelf life; (3) is banned by law, regulation, ordinance or decree; (4) cannot be used for reasons of economics, health or safety or environmental hazard.
- (b) "Retrograde material" does not include material listed in 22 CCR Section 66261.33 if either of the following conditions is met: (1) the material is used in a manner constituting disposal and the material is not normally used in a manner constituting disposal; (2) the material is burned for energy recovery and the material is not normally burned for energy recovery.

28. Recycling Exclusion: A recyclable material may be excluded from classification as a hazardous waste and consequently not subject to all hazardous waste management standards, including treatment (tiered) permitting. Under California law, an excluded recyclable material must be managed by regulatory standards, such as those found in Health and Safety Code (H&SC) Sections 25143.2, 25143.9, and 25143.10; or be subject to regulation as hazardous waste.

29. Recycling Exemption: Onsite recycling of hazardous waste generated onsite can be exempted from hazardous waste treatment permitting requirements if the generator complies with H&SC Section 25143.2. Note: While the recycling activity may be exempted from tiered permitting and hazardous waste

treatment standards, the generated hazardous waste is still subject to generator management standards. (Note: H&SC sections 25143.9 and 25143.10 may also be required to assert a recycling exemption.)

30. **Variance:** a deviation from a provision of Title 22 and Chapter 6.5 of the Health and Safety Code authorized by the State DTSC pursuant to section 66260.210 or Health and Safety Code section 25143.

31. **Recyclable Materials Reporting Form:** The biennial form required to be submitted to the CUPA by businesses claiming a recycling exemption or exclusion under H&SC 25143.2; see also H&SC 25143.10.

32. **"Sham" Recycling:** a form of surrogate disposal where a business attempts to dispose of a hazardous waste in its production process or by another manner not authorized by law. The waste may be accumulated speculatively, heavily contaminated, or a useless material in production. The waste may not be an effective substitute for the material it replaced (see page 638 (January 4, 1985) of the Federal Register for additional details).

33. **Pollution Prevention (P2):** a combination of hazardous substance reduction, source reduction, and waste minimization that focuses on multi-media (air, water, and land) prevention of pollution to the environment and minimization of worker exposure. Activities which qualify as pollution prevention include source reduction and onsite recycling, and do not include "end-of-pipe" waste management methods such as treatment, off-site recycling, and disposal.

34. **Source Reduction Plan (SB 14);** Generators who produce more than 12,000 kg/yr of hazardous waste or 12 kg/year of extremely hazardous waste are required to prepare and maintain a plan detailing waste minimization activities (see H&SC Section 25144.12). Also, CA and PBR facilities must certify annually to the CUPA that they have a waste minimization plan and are implementing it.

35. **Tiered Permitting:** Facilities conducting any treatment, storage, and disposal activities in California are authorized under a five-tiered permitting system. This system includes Full permits for onsite and offsite activities which require RCRA permitting, Standardized permits for off-site facilities conducting treatments exempt from RCRA (e.g. precious metals (such as gold and silver) recovery), and the three onsite treatment tiers (PBR, CA, and CE) for generators conducting treatment exempt from RCRA. The Full and Standardized tiers are regulated by Cal EPA/DTSC and the three onsite treatment tiers are regulated by CUPAs.

"Permit-by-rule" means a provision of the regulations stating that a facility or activity is deemed to have a permit if it meets all the regulatory requirements.

"Conditional authorization" means a provision of the statutes which provides that a person or activity is deemed to be operating pursuant to a grant of authorization if the person or activity meets all the statutory requirements. "Conditional exemption" means a provision of the of the statutes (H&SC Sections 25144.6, 25201.5, 25201.5.1, 25201.8, and 25201.13) which provides that a person or activity is exempted from, or is otherwise not subject to, the requirement to obtain a hazardous waste facilities permit or other grant of authorization if the person or activity meets all the statutory requirements.

36. **RCRA Permit Exemptions:** Treatments exempt from RCRA permitting. Only onsite treatment exempt from RCRA permitting is eligible for the lower three tiers of tiered permitting. The RCRA permit exemptions are found in 40 CFR 261.4, 261.5, 261.7, 264.1, and 270.1.

37. **Eligible Waste Streams:** Waste streams eligible for treatment authorization under one of the three lower tiers of tiered permitting. The list of waste streams for the PBR tier are found in 22 CCR Section 67450.11, for the CA tier in H&SC Section 25200.3, and for the CE tiers in H&SC Section 25201.5(c).

38. **Ineligible Waste Streams:** Waste streams that are not eligible for treatment authorization under one of the three lower tiers of tiered permitting. These waste streams include extremely hazardous and

reactive wastes, wastes generated offsite, and wastes not listed on the PBR, CA, or CE eligible waste stream lists. Cyanide-bearing wastes are common waste streams, which are not eligible, because a cyanide destruction treatment has not yet been authorized by DTSC.

39. Volume Limits: there are volume limits for some waste streams under the CE and CA tiers which determine whether a generator is eligible to treat wastes under the CA and CE tiers, as opposed to the PBR tier. As an example, the CE tier limits the volume of many waste streams, such as hexavalent chromium-bearing wastes, to no more than 55 gallons per month.

40. Multiple Hazards: generators with larger amounts (>55 gallons/month) of waste streams with multiple hazards or waste characteristics (i.e... a corrosive and toxic waste; such as spent acids containing toxic metals) are generally regulated under the PBR treatment tier. The waste streams eligible for treatment under the CA tier generally have only a single hazard.

41. Concentration Limits: there are limiting concentrations for hazardous constituents under the CA and CE treatment tiers which determine the treatment tier (PBR, CA, or CE) that generator's waste stream is eligible to be authorized under. As an example, there is a limit of 1400 PPM of total toxic metals under the CA tier for an aqueous metal bearing waste stream.

42. Influent: waste waters entering a treatment process.

43. Effluent: waste waters exiting a treatment process and discharged into the sewer for further downstream treatment by a Publicly Owned Treatment Works (POTW).

44. Waste Determination: A generator is required to determine if their waste is hazardous or non-hazardous. This determination can be made using reasonable generator knowledge of the characteristics of the waste generated by a process. This determination should be made using supporting documentation such as manufacturer's specifications of a material and/or material safety data sheets. If generator knowledge is insufficient or not complete to make a proper waste determination, then a waste analysis for likely hazards and hazardous constituents should be performed.

45. Waste Analysis: Permitted treatment facilities, including onsite treatment facilities under Permit-By-Rule, are required to representatively sample their hazardous waste and submit it to a certified laboratory for analysis of hazards and hazardous constituents. The analysis must be updated as needed and repeated upon hazardous waste generating process or operation change. The waste analysis also requires a plan showing how, when, where and what the waste will be sampled and analyzed for.

46. Representative sample(s): a sample(s) of a universe or whole (e.g., point of waste generation, waste pile, groundwater, a tank unit, etc.) which can be expected to exhibit the average properties of the universe or whole.

47. Presumptive Waste List: Wastes containing hazardous constituents listed in Appendix X found in 22 CCR 66261.126 are presumed to be hazardous unless it is determined that the waste is not a hazardous waste pursuant to the procedures set forth in Title 22 CCR 66262.11.

48. Toxicity Tests: Toxicity tests include federal and State tests. The federal test is the Toxicity Characteristics Leaching Procedure (TCLP). The State tests include the Soluble Threshold Limit Concentration (STLC), the Total Threshold Limit Concentration (TTLC), acute toxicity (oral LD50, dermal LD50, inhalation LD50, and aquatic LC50, and carcinogenicity (for 16 OSHA-listed carcinogens). For the

TCLP, STLC, and TTLC, the sampled waste must equal or exceed the value for a listed toxic constituent to be considered hazardous waste. Both the TCLP and STLC tests measure only solubilized, extractable concentrations of a toxic substance while the TTLC test measures the total concentration of a toxic substance including solubilized, extractable and non-extractable concentrations of a toxic substance.

49. **Notification:** Generators with tiered permitting units are required to complete and submit an originally signed Onsite Hazardous Waste Treatment Notification to the CUPA for initial notifications. PBR facilities are required to annually re-submit the Notification forms. CA and CE facilities are not required to re-submit the forms annually. However, all generators that treat their hazardous waste onsite are required to submit amended Onsite Hazardous Waste Treatment Notification forms for any changes in their notifications including withdrawal of notification (e.g. recycling exemptions or process changes) and closure of a waste treatment unit.

50. **Authorization:** Generators with tiered permitting units (PBR, CA, or CE) are granted authorization by the CUPA upon receipt and review of the Onsite Hazardous Waste Treatment Notification forms. PBR facilities, which are authorized, receive letters of authorization from the CUPA. Facilities with incomplete forms will be informed that their notifications are invalid. A generator's authorization is considered invalid upon inspection if they under-notified or incorrectly notified under the wrong treatment tier.

51. **Publicly Owned Treatment Works (POTW):** means any device or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a "State" or "municipality" (as defined by 33 U.S.C. section 1362). This definition includes sewers, pipes or other conveyances only if they convey wastewater to a POTW providing treatment.

52. **NPDES Permit:** A National Pollutant Discharge Elimination System permit is required for businesses regulated under Federal storm water management standards or that discharge waste into a water source. The conditions of these permits include routine monitoring and Best Management Practices (BMPs).

53. **Closure:** the act of closing a hazardous waste management facility or hazardous waste management unit (such as a waste treatment unit) pursuant to the requirements of Title 22 CCR.

54. **Closure period:** the period during which a unit at a hazardous waste management facility is being closed according to an approved closure plan.

55. **Closure plan:** the written plan for closure of PBR treatment units as required by CCR 67450.3 (c) (11) (B).

56. **Financial Assurance:** a financial mechanism to assure the availability of funds for closure of a facility or a hazardous waste treatment unit.

57. **Environmental Assessment:** the process of investigating the potential for site contamination. This process includes document review (i.e. review of historical records regarding a site), interviews, site inspection, and possibly sampling. A Phase I Assessment or Preliminary Environmental Assessment (PEA) is the initial assessment and is required for PBR and CA facilities.